

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                       |   |                                |
|---------------------------------------|---|--------------------------------|
| In re the Application of              | : | <b>Docket No. 1875-0532.3</b>  |
|                                       | : |                                |
| <b>STEPHEN JACOBSON et al.</b>        | : | <b>Confirmation No. 6560</b>   |
|                                       | : |                                |
| Application No. 10/758,718            | : | <b>Examiner A.S. NOGUEROLA</b> |
|                                       | : |                                |
| Filed: January 16, 2004               | : | <b>Art Unit 1753</b>           |
|                                       | : |                                |
| For: <b>A MICROFLUIDIC DEVICE AND</b> | : |                                |
| <b>METHOD FOR FOCUSING,</b>           | : |                                |
| <b>SEGMENTING, AND DISPENSING</b>     | : |                                |
| <b>OF A FLUID STREAM</b>              | : |                                |

**SUPPLEMENTAL RESPONSE TO NON-FINAL ACTION**

The Applicants submit the following supplemental remarks in response to the Official Action mailed on September 11, 2007.

**REMARKS**

In the response submitted on December 11, 2007, it was noted that the double patenting rejection of Claims 1, 2, 3, and 19 under 35 USC 101 based on Claims 9-12 of US Patent No. 6,790,328 ('328 patent) was believed to be improper because the claims of the '328 patent relied on by the Examiner were improperly issued. Similar remarks were submitted relative to Claims 4-18 which were rejected based on obviousness-type double patenting in view of the same claims. As set forth in the December 11, 2007 response, the Applicants submitted a request for a certificate of correction for the '328 patent. The certificate of correction was issued on January 15, 2008. A true and correct copy of the official Certificate of Correction is enclosed with this response.

In connection with the response, the Applicants also submitted a petition for suspension of further action in this application pending the issuance of the certificate of correction. Since the certificate of correction has now issued, the Applicants respectfully withdraw the petition for